

# PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

**PCT**

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

To:

Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE  
in its capacity as elected Office

|   |   |
|---|---|
| <b>Date of mailing</b> (day/month/year)<br>31 May 2001 (31.05.01)                 |   |
| <b>International application No.</b><br>PCT/AU00/01173                            | <b>Applicant's or agent's file reference</b>                          |
| <b>International filing date</b> (day/month/year)<br>27 September 2000 (27.09.00) | <b>Priority date</b> (day/month/year)<br>28 September 1999 (28.09.99) |
| <b>Applicant</b><br>PETTS, Andax  |   |

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
24 April 2001 (24.04.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

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| <p>The International Bureau of WIPO<br/>34, chemin des Colombettes<br/>1211 Geneva 20, Switzerland</p> <p>Facsimile No.: (41-22) 740.14.35</p> | <p>Authorized officer</p> <p>J. Leitao</p> <p>Telephone No.: (41-22) 338.83.38</p> |
|--|--|

**TENT COOPERATION TREATY**  
**PCT**  
**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**  
(PCT Article 36 and Rule 70) 14

REC'D 22 MAY 2001

WIPO PCT

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|--|--|--|
| Applicant's or agent's file reference<br>PET02 102   | <b>FOR FURTHER ACTION</b>  | See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416). |
| International application No.<br><b>PCT/AU 00/01173</b>  | International filing date ( <i>day/month/year</i> )<br>27 September 2000 | Priority Date ( <i>day/month/year</i> )<br>28 September 1999   |
| International Patent Classification (IPC) or national classification and IPC<br><br><b>Int. Cl.<sup>7</sup> B25B 13/28, 13/30, 13/32</b> |  |  |
| Applicant<br>1. PETTS , Andax  |  |  |

|    |   |
|----|---|
| 1. | This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.  |
| 2. | This REPORT consists of a total of <b>5</b> sheets, including this cover sheet.<br><br><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).<br><br>These annexes consist of a total of      sheet(s).   |
| 3. | This report contains indications relating to the following items:<br><br>I <input checked="" type="checkbox"/> Basis of the report<br>II <input type="checkbox"/> Priority<br>III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability<br>IV <input type="checkbox"/> Lack of unity of invention<br>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement<br>VI <input type="checkbox"/> Certain documents cited<br>VII <input checked="" type="checkbox"/> Certain defects in the international application<br>VIII <input type="checkbox"/> Certain observations on the international application |

|  |   |
|--|---|
| Date of submission of the demand<br>24 April 2001  | Date of completion of the report<br>03 May 2001                                     |
| Name and mailing address of the IPEA/AU<br>AUSTRALIAN PATENT OFFICE<br>PO BOX 200<br>WODEN ACT 2606 AUSTRALIA<br>E-mail address: pct@ipaaustralia.gov.au<br>Facsimile No. (02) 6285 3929 | Authorized Officer<br><br>SARAVANAMUTHU PONNAMPALAM<br>Telephone No: (02) 6283 2070 |

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed.
- ☐ the description,      pages , as originally filed,  
                                  pages , filed with the demand,  
                                  pages , received on    with the letter of .
- ☐ the claims,      pages , as originally filed,  
                                  pages , as amended (together with any statement) under Article 19,  
                                  pages , filed with the demand,  
                                  pages , received on    with the letter of .
- ☐ the drawings,      pages , as originally filed,  
                                  pages , filed with the demand,  
                                  pages , received on    with the letter of .
- ☐ the sequence listing part of the description:  
                                  pages , as originally filed  
                                  pages , filed with the demand  
                                  pages , received on    with the letter of .

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language    which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, was on the basis of the sequence listing:**

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

**4. ☐ The amendments have resulted in the cancellation of:**

- ☐ the description,      pages
- ☐ the claims,      Nos.
- ☐ the drawings,      sheets/fig

**5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

**III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be nonobvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos.: **16 and 20**

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claim Nos.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

|                               |                    |     |
|-------------------------------|--------------------|-----|
| Novelty (N)                   | Claims 1-15, 17-19 | YES |
|                               | Claims             | NO  |
| Inventive step (IS)           | Claims 1-15, 17-19 | YES |
|                               | Claims             | NO  |
| Industrial applicability (IA) | Claims 1-15, 17-19 | YES |
|                               | Claims             | NO  |

**2. Citations and explanations (Rule 70.7)**

**NOVELTY (N) claims 1 and 2**

The subject matter of the independent claims 1 & 2 are new in terms of the relevant state of the art [Article 33(2) PCT], since none of the documents cited in the International Search Report discloses the combination of all features set out in each of the claims 1 and 2.

Claims 3-15 and 17-19 are dependent on claims 1 & 2 and are concerned with particular embodiments of the wrench according to claims 1 & 2 and thus also meets the requirement of PCT Article 33 (2).

**INVENTIVE STEP (IS) Claims 1, 2-15 and 17-19**

The claimed wrench provides means of

- (a) Increasing the mechanical advantage as required.
- (b) easy removal of the jaws from the article gripped.
- (c) Varying the distance between the gripping portions to suit different sized articles.

For the above reasons claims 1, 2-15 and 17-19 are considered to involve an inventive step and therefore satisfy this criterion set forth in PCT Article 33(3).

**INDUSTRIAL APPLICABILITY (IS) claims 1, 2-15 & 17-19**

The invention defined in claims 1, 2-15 & 17-19 satisfies the criterion set forth in PCT Article 33(4).

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

Claims 17, 18 & 19 are not in compliance with PCT Rule 6.2(a)

(19) World Intellectual Property Organization  
International Bureau



(43) International Publication Date  
5 April 2001 (05.04.2001)

PCT

(10) International Publication Number  
**WO 01/23146 A1**

(51) International Patent Classification<sup>7</sup>: **B25B 13/28**,  
13/30, 13/32

(21) International Application Number: PCT/AU00/01173

(22) International Filing Date:  
27 September 2000 (27.09.2000)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
PQ 3166 28 September 1999 (28.09.1999) AU

(71) Applicant and

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(74) Agent: AHEARN FOX; GPO Box 1149, Brisbane, QLD  
4001 (AU).

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ, DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

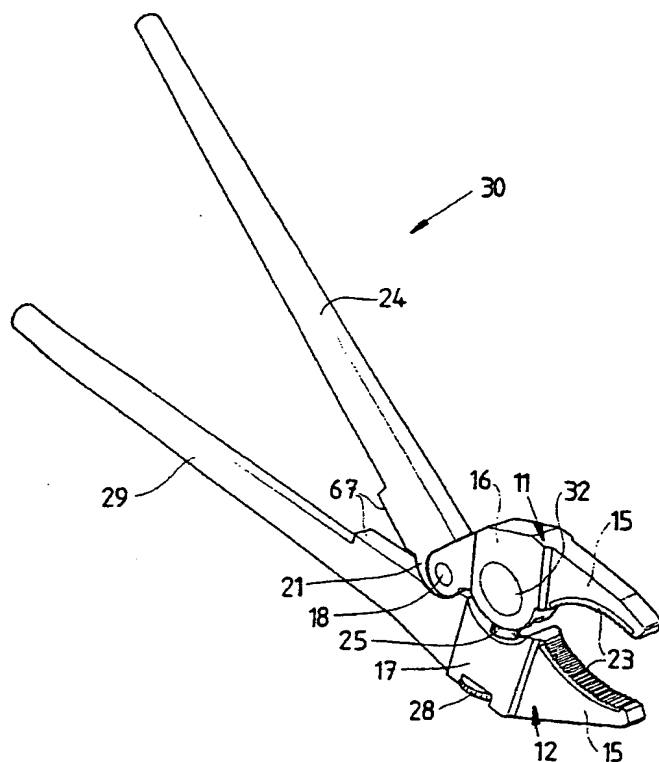
(84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

Published:

— With international search report.

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: WRENCH



(57) Abstract: A wrench (10) including first (11) and second (12) jaw members each having first and second gripping portions (23) for gripping an article to be rotated about a work axis and a leverage portion spaced from the gripping portion; one or two handles, the one handle (13) being connected to the leverage portion of the first jaw member for pivoting movement relative thereto about a leverage axis parallel to the work axis and the other handle (29) (where provided) extending from the leverage portion of the second jaw member in the plane of rotation of the first handle; engagement means on the handle for movement therewith for engagement with the leverage portion of the second jaw member to urge the first and second leverage portion apart, and connecting means (14) connecting the first and second jaw members and holding them in opposed disposition, the connecting means being operatively interposed between the respective opposed gripping portions and the opposed leverage portions and being arranged to allow pivoting of the jaw members with respect to each other, the connecting means being adjustable in length to vary the distance between the gripping portions to suit different sized articles. Preferably, the connecting means is in pivotal engagement with at least one jaw member, the connecting means is in the form of a length adjustable nut and bolt assembly, the nut being in the form of a cylindrical pin having a diametral bore for receiving a length adjustable bolt comprising a sleeve (26) and a screw (27) in threaded engagement with a threaded bore extending axially into the sleeve.

WO 01/23146 A1

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/AU 00/01173

|   |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
|---|---|--|--|--|-----|---|-----|---|-----|--|-----|---|-----|--|-----|--|-----|---|-----|--|--|--|
| <b>A. CLASSIFICATION OF SUBJECT MATTER</b>  |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| Int Cl <sup>7</sup> : B25B 13/28, 13/30, 13/32  |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| According to International Patent Classification (IPC) or to both national classification and IPC   |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| <b>B. FIELDS SEARCHED</b>   |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| Minimum documentation searched (classification system followed by classification symbols)<br>IPC B25B 13/28, 13/30, 13/32   |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched<br>AU : IPC as above  |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| <b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>   |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| Category*   | Citation of document, with indication, where appropriate, of the relevant passages  | Relevant to claim No.  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| A   | DE 1403411 A (KYBURZ) 10 October 1968<br>whole document   | 1-15, 17-19  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| A   | GB 767401 A (MAYER) 6 February 1957<br>whole document   | 1-15, 17-19  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| A   | US 2537838 A (LOGAN) 9 January 1951<br>whole document   | 1-15, 17-19  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| <input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex   |   |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| <p>* Special categories of cited documents:</p> <table border="0"> <tr> <td>"A"</td> <td>Document defining the general state of the art which is not considered to be of particular relevance</td> <td>"T"</td> <td>later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</td> </tr> <tr> <td>"E"</td> <td>earlier application or patent but published on or after the international filing date</td> <td>"X"</td> <td>document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</td> </tr> <tr> <td>"L"</td> <td>document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</td> <td>"Y"</td> <td>document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</td> </tr> <tr> <td>"O"</td> <td>document referring to an oral disclosure, use, exhibition or other means</td> <td>"&amp;"</td> <td>document member of the same patent family</td> </tr> <tr> <td>"P"</td> <td>document published prior to the international filing date but later than the priority date claimed</td> <td></td> <td></td> </tr> </table> |   |  | "A"  | Document defining the general state of the art which is not considered to be of particular relevance | "T" | later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention | "E" | earlier application or patent but published on or after the international filing date | "X" | document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone | "L" | document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | "Y" | document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art | "O" | document referring to an oral disclosure, use, exhibition or other means | "&" | document member of the same patent family | "P" | document published prior to the international filing date but later than the priority date claimed |  |  |
| "A"   | Document defining the general state of the art which is not considered to be of particular relevance  | "T"  | later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| "E"   | earlier application or patent but published on or after the international filing date   | "X"  | document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone   |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| "L"   | document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | "Y"  | document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| "O"   | document referring to an oral disclosure, use, exhibition or other means  | "&"  | document member of the same patent family  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| "P"   | document published prior to the international filing date but later than the priority date claimed  |  |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| Date of the actual completion of the international search<br>16 October 2000  |   | Date of mailing of the international search report<br>- 1 NOV 2000                   |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |
| Name and mailing address of the ISA/AU<br>AUSTRALIAN PATENT OFFICE<br>PO BOX 200<br>WODEN ACT 2606 AUSTRALIA<br>E-mail address: pct@ipaustalia.gov.au<br>Facsimile No.: (02) 6285 3929  |   | Authorized officer<br><br>SARAVANAMUTHU PONNAMPALAM<br>Telephone No.: (02) 6283 2070 |  |  |     |   |     |   |     |  |     |   |     |  |     |  |     |   |     |  |  |  |



## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/AU 00/01173

| C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT |  |                       |
|---|--|-----------------------|
| Category*   | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
| A   | GB 628301 A (PEHRSSON) 20 October 1949<br>whole document                           | 1-15, 17-19           |

# INTERNATIONAL SEARCH REPORT

International Application No.

PCT/AU 00/01173

## Box I Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☒ Claims Nos.: 16 and 20  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

## Box II Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

| Patent Document Cited in Search Report |         | Patent Family Member | PCT/AU 00/1173 |
|--|---------|----------------------|----------------|
| DE                                     | 1403411 | NONE                 |                |
| GB                                     | 767401  | NONE                 |                |
| US                                     | 2537838 | NONE                 |                |
| GB                                     | 628301  | NONE                 |                |
| CONTINUED                              |         |                      |                |